

Message Text

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ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 L-03 H-02 DHA-02 DEAE-00 SNM-02

/020 W

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P R 081816Z DEC 76

FM AMEMBASSY MEXICO

TO AMEMBASSY BANGKOK PRIORITY

INFO SECSTATE WASHDC 9081

UNCLAS MEXICO 15457

E.O. 11652: N/A

TAGS: CASC, MX TH

SUBJ: MEXICAN PENAL POLICIES

REF: BANGKOK 32857

1. MEXICAN PRACTICE PERMITS PRISONERS TO OBTAIN CREDIT AGAINST THEIR SENTENCES BY WORKING AT APPROVED (" COMMISSIONED ") JOBS IN THE PRISON, SUBJECT TO GOOD BEHAVIOR. CREDIT IS ACCRUED AT THE RATE OF ONE DAY OFF FOR EVERY TWO DAYS WORKED: THUS A PRISONER WHO WORKS FOR TWO DAYS IS CONSIDERED TO HAVE SERVED THREE DAYS FROM HIS SENTENCE INSTEAD OF TWO.

2. PRISONERS MAY BENEFIT BOTH FROM WORK CREDIT AND FROM PAROLE. UNDER MEXICAN LAW, A PRISONER MAY BECOME ELIGIBLE FOR PAROLE AFTER SERVICING THREE FIFTHS OF HIS SENTENCE. EMBASSY UNDERSTANDS THAT THE EFFECT OF WORK CREDIT IS TO BRING FORWARD THE DATE OF ELIGIBILITY FOR PAROLE BY THE FULL AMOUNT OF WORK CREDIT, I.E. BY ONE DAY FOR EVERY TWO DAYS WORKED. EXAMPLE: A PRISONER WITH A TEN YEAR SENTENCE, WHO WITHOUT WORK CREDIT IS ELIGIBLE FOR PAROLE AFTER SERVING THREE-FIFTHS OF HIS SENTENCE, MAY IF HE WORKS THROUGH HIS WHOLE PERIOD IN PRISON BE ELIGIBLE FOR PAROLE IN FOUR YEARS INSTEAD SIX. AT THAT POINT HE HAS SERVED FOUR YEARS AND ACCUMULATED AN ADDITIONAL TWO YEARS OF WORK CREDIT TOTALING SIX.

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3. ADMINISTRATION OF THE PROGRAM VARIES FROM PRISON

TO PRISON. SOME PRISONS HAVE NO WORK PROGRAM;
OTHERS OFFER FIVE-DAY OR SIX-DAY WORK COMMISSIONS INSTEAD
OF FULL-TIME COMMISSIONS.

4. FYI: PRISONERS CHARGED WITH DRUG RELATED OFFENSES
ARE CURRENTLY NOT ELIGIBLE FOR PAROLE IN MEXICO, BUT
LEGISLATION IS UNDER CONSIDERATION TO ALLOW PAROLE FOR
DRUG OFFENDERS.

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PENAL SYSTEM, PENAL INSTITUTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MEXICO15457
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760453-1223
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761262/aaaacbsp.tel
Line Count: 70
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 76 BANGKOK 32857
Review Action: RELEASED, APPROVED
Review Authority: wolfsd
Review Comment: n/a
Review Content Flags:
Review Date: 20 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 MAY 2004 by hattaycs>; APPROVED <17 AUG 2004 by wolfsd>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MEXICAN PENAL POLICIES
TAGS: CASC, MX, TH
To: SCS BANGKOK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006